

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**CHARLES S.,**

Plaintiff,

v.

**COMMISSIONER OF SOCIAL  
SECURITY,**

Defendant.

**Case No. 2:22-CV-3819**

**Judge Graham**

**Magistrate Judge Deavers**

**OPINION AND ORDER**

This matter is before the court for consideration of the August 7, 2023 report and recommendation of the United States Magistrate Judge to whom this case was referred pursuant to 28 U.S.C. § 636(b), Doc. 12. The Magistrate Judge concluded that the administrative law judge “provided no reasons, let alone good reasons for discounting Plaintiff’s treating physicians’ opinions[,]” and improperly assigned weight to medical opinions dependent on whether they were consistent with the residual functional capacity she had already crafted, both of which are reversible errors. *Id.* at 18.

The report and recommendation specifically advised the parties that failure to object to the report and recommendation within fourteen days of the report will result in a waiver of the right to de novo review by the District Judge and waiver of the right to appeal the judgment of the District Court. Doc. 12 at 19. The time period for filing objections to the report and recommendation has expired and no party has objected to the report and recommendation. The Court has reviewed and agrees with the report and recommendation and **ADOPTS** the same. The decision of the Commissioner is reversed, and this case is remanded to the Commissioner under

Sentence Four of § 405(g) for further administrative proceedings as discussed in the report and recommendation. The clerk shall enter final judgment remanding this case to the Commissioner.

**IT IS SO ORDERED.**

s/ James L. Graham  
JAMES L. GRAHAM  
United States District Judge

DATE: September 12, 2023